

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

**COURT
EXHIBIT**
68

Jia Sheng,

Plaintiff,

Hon. Hugh B. Scott

12CV1103

v.

**JURY
VERDICT**

M&T Bank Corporation et al.,

Defendant.

1. Did the defendant violate the plaintiff's rights under the Family Medical Leave Act?

YES _____

NO ☒ _____

2. Did the defendant retaliate against the plaintiff due to her attempt to enforce the provisions of the Family Medical Leave Act?

YES _____

NO ☒ _____

3. Did the defendant fail to provide a reasonable accommodation to the plaintiff in violation of the Americans with Disabilities Act?

YES _____

NO ☒ _____

4. Did the defendant violate the plaintiff's rights under the California Fair Employment and Housing Act?

YES _____

NO ☒ _____

IF YOUR RESPONSES TO EACH OF THE ABOVE QUESTIONS IS "NO", THEN YOU NEED GO NO FURTHER AND WOULD HAVE RETURNED A VERDICT IN FAVOR OF THE DEFENDANTS. IF YOUR ANSWER TO ONE OR MORE OF THE ABOVE QUESTIONS IS "YES," THEN YOU HAVE FOUND THAT THE DEFENDANT'S CONDUCT VIOLATED THE PLAINTIFF'S RIGHTS AND YOU MUST GO ON TO THE FOLLOWING QUESTIONS.

THE FOLLOWING QUESTIONS RELATE TO DAMAGES, YOU SHOULD
RESPOND TO THESE QUESTIONS ONLY IF YOU HAVE ANSWERED "YES" TO ONE
OR MORE OF QUESTIONS 1 THROUGH 4.

5. Did the Plaintiff prove by a preponderance of the evidence that the Defendant's conduct in violating one or more of the above statutes caused the Plaintiff to incur economic damages?

YES _____ NO _____

6. If your answer to Question 5 is YES, what amount of compensatory damages do you award to the Plaintiff?

\$ _____

7. Did the Plaintiff prove by a preponderance of the evidence that the Defendant's conduct in violating one or more of the above statutes caused the Plaintiff to incur compensatory damages?

YES _____ NO _____

8. If your answer to Question 7 is YES, what amount of compensatory damages do you award to the Plaintiff?

\$ _____

9. If you have awarded any damages pursuant to Questions 5 through 8, you need go no further. If your answer to Questions 5 and 7 was "NO" you may award nominal damages to the Plaintiff in the amount of \$1.00. Is an award of nominal damages appropriate in this case?

YES _____ NO _____

YOU HAVE REACHED THE END OF THE VERDICT SHEET. THE FOREPERSON
SHOULD SIGN THE VERDICT BELOW AND CONTACT THE MARSHAL TO ADVISE
THE COURT.

Dated: November 7, 2014


Jury Foreperson